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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------|------------------|
| 10/004,880 | 12/07/2001 | Steve Tu | 2769-118 | 7593 |
| 6449 | 7590 | 06/15/2006 | EXAMINER | |
| ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005 | | | LOFTIS, JOHNNA RONEE | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3623 | |

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/004,880 | TU ET AL. | |
| | Examiner | Art Unit | |
| | Johnna R. Loftis | 3623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 31 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-7 and 13-17 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7 and 13-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. The following is a non-final office action upon examination of application number 10/004,880. Claims 8-12 have been withdrawn. Claims 1-7 and 13-17 are pending and have been examined on the merits discussed below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-7 and 13-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Loosmore et al, US 5,682,142.

As per claim 1, Loosmore et al teaches transmitting material-receiving data via a user at one of the terminal devices in a material-receiving form to the network management server through a network (column 8 and column 9 “manufacturing facility” – material data is stored for network communication); and receiving and integrating the material-receiving forms via the network management server from the terminal devices, so as to initiate and establish connection with one of the material database servers that provides material-receiving data service according to types of the material-receiving data, wherein the material-receiving data are inputted to the material database server and stored in a material database of the material database server in an order of material-receiving dates (column 9 – a date is initially stored which is later used to facilitate a first-in-first-out method).

As per claim 2, Loosmore et al teaches classifying the received material-receiving data via the material database server into categories according to vendor's names and codes, and further classifying the material-receiving data of a same vendor's name and code into sub-categories according to material codes and types (column 8 and column 9 – tags are encoded with product, source and other information as well as quantity and date); and writing the classified material-receiving data into the material database via the material database server by using a function of recording a current material-receiving condition of a vendor, and updating a most recent material-receiving file of the vendor in the material database, wherein an operation mode and cycle time for updating the file are set according to practical conditions (column 9, lines 1-17 -pre-determined parameters are set wherein when inventories fall below set levels, the system sends and alert to replenish the stock of the item).

As per claim 3, Loosmore et al teaches transmitting the material-receiving data via the material database server from the material database to the network management server and to the terminal device via a network, so as to conduct two-way communication with the user at the terminal device, allowing the user to immediately realize a material-receiving status (column 9, lines 1-17 -pre-determined parameters are set wherein when inventories fall below set levels, the system sends and alert to replenish the stock of the item).

As per claim 4, Loosmore et al teaches transmitting material-issuing data via the user at the terminal device according to a material-issuing status in a material-issuing form to the network management server through Internet or intranet; and receiving and integrating the material-issuing forms from the terminal devices via the network management server, so as to initiate and establish connection with one of the material database servers that provides material-

issuing data service according to types of the material database server; receiving the material-issuing data via the material database server, and inspecting material data in a material database thereof to issue materials in an order of material-receiving dates, so that a material with an earlier material-receiving date is prior to be issued, and a first-in-first-out mode of material management is proceeded in receiving and issuing materials (column 9 – as inventory is issued, data is used to monitor inventory levels and to generate an alert if inventories fall below an established level; a date is initially stored which is later used to facilitate a first-in-first-out method).

As per claim 5, Loosmore et al teaches receiving the material-issuing data via the material database server, and automatically initiating a function of inspecting material stocks, so as to provide a stock list of available vendors; and automatically initiating a first-in-first-out function for issuing materials in an order of material-receiving dates via the material database server according to the stock list of the vendors, in a manner that a material with an earlier material-receiving date is prior to be issued (column 9 – as inventory is issued, data is used to monitor inventory levels and to generate an alert if inventories fall below an established level; a date is initially stored which is later used to facilitate a first-in-first-out method).

As per claims 6 and 7, Loosmore et al teaches network based communication of material information in order to monitor inventory received and inventory issued wherein a first-in-first-out method is utilized and as inventory is issued, an alert is sent if inventories fall below a pre-set level. However, Loosmore et al does not explicitly teach the communication taking place using an Internet network with browser and homepage display. Implementing the system of Loosmore et al would accomplish the same result as disclosed in the Loosmore et al patent. Since it is old and well known to automate processes over the internet it would have been obvious to one of

ordinary skill to modify Loosmore et al to include Internet as the communication network. This would allow for users to access data from remote locations anywhere in the world and would make the process of monitoring the material data more efficient.

As per claims 13 and 14, Loosmore et al teaches network based communication of material information in order to monitor inventory received and inventory issued wherein a first-in-first-out method is utilized and as inventory is issued, an alert is sent if inventories fall below a pre-set level. The system includes network CPUs and output display including LCD wherein material data is stored. As disclosed the system can include a human interface node wherein a personal computer is attached to the network to view and change information on the network (column 5, lines 38-4). However, Loosmore et al does not explicitly teach the communication taking place using an Internet network with browser and homepage display. Implementing the system of Loosmore et al would accomplish the same result as disclosed in the Loosmore et al patent. Since it is old and well known to automate processes over the internet it would have been obvious to one of ordinary skill to modify Loosmore et al to include Internet as the communication network. This would allow for users to access data from remote locations anywhere in the world and would make the process of monitoring the material data more efficient.

As per claims 15-17, while Loosmore et al teaches monitoring the inventory levels in order to implement a first-in-first-out method of inventory management, and also monitoring inventory so as to send alerts when replenishment is needed, Loosmore et al does not explicitly teach how the information is stored. However, several well-known database storage servers could be utilized in order to achieve the same result. It would have been obvious to one of

ordinary skill in the art of information storage and retrieval to store the material information in MS Access, MSSQL or ORACLE database servers as a way to quickly and efficiently access the data. Since each database is functionally equivalent and achieve the same result when implemented in the system, one of ordinary skill in the art at the time of the invention would have known to use any of the well known database servers in order to access and retrieve material information in a quick and efficient manner.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang, US 5,903,457 – automated material storage and retrieval system for production lines

Roach et al, US 5,434,394 – automated order and delivery system

Park, US 6,058,375 – accounting processor and method for automated management control system

Turner et al, US 6,470,228 – material management system and method

Lichti, Sr. et al, US 5,161,929 – automated work center

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnna R. Loftis whose telephone number is 571-272-6736. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JL
6/9/06



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